

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



BZA Application No. 13463, of Galbraith AME Zion Church, pursuant to Paragraph 8207.11 of the Zoning Regulations, for variances from the lot occupancy requirements (Sub-section 3301.1) and the rear yard requirements (Sub-section 3304.1) for a proposed addition to an existing church in an R-5-D District at the premises 1114 - 6th Street, N. W., (Square 449, Lots 856 and 857).

HEARING DATE: April 15, 1981

DECISION DATE: May 6, 1981

FINDINGS OF FACT:

1. The subject property is located on the west side of 6th Street between "L" and "M" Streets. It is in an R-5-D zone District at premises known as 1114 - 6th St., N. W.
2. The site is presently improved with a ninety-seven year old church building with a stucco facade, that is approximately forty-five feet in height.
3. The subject site is rectangular in shape, and consists of 8,196.56 square feet of land area.
4. There are a variety of land uses in the area. To the west across 6th Street, and immediately to the north and south of the site are two and three-story row houses. Further to the north, across "M" Street, are several blocks of recently constructed low and high-rise multi-family housing. Across "L" Street, approximately 125 feet to the south, is a small area of light industrial and commercial activity.
5. Nearly all of the subject block west of those buildings fronting on 6th Street has been cleared by the District of Columbia Redevelopment Land Agency. The proposed site of the downtown campus of the University of the District of Columbia is one block west of the site. Sixth Street is a major avenue, fifty-six feet from curb to curb, with four lanes of traffic and two parking lanes.
6. The R-5-D District in which the subject site is located extends from 3rd to 7th Streets and from "K" to "M" Streets, N.W.

7. Pursuant to Sub-section 3301.1 of the Zoning Regulations a maximum lot occupancy of seventy five percent, or in this case 6,147.42 square feet, is allowed. The existing structure currently occupies 4731.14 square feet of the lot. The applicant proposes to occupy an additional 1720.83 square feet, for a total of 6452.21 square feet and 78.72 percent of the lot. Thus a variance of approximately five percent or 304.79 square feet is required.

8. Pursuant to Sub-section 3304.1, a rear yard of twelve feet is required. With the proposed addition the church will cover the entire rear yard. Thus a variance of twelve feet or one hundred percent is required.

9. The applicant complies with the open court, side yard and floor area ratio requirements of the Zoning Regulations.

10. The two story twenty by sixty foot rear addition proposed by the applicant will be used as offices for the pastor and an assistant pastor, toilet facilities and an elevator.

11. The applicant testified that the main sanctuary is located on the second floor, and the church is at present without facilities capable of accommodating the handicapped or elderly in reaching the main level of worship.

12. The applicant testified that no use is made of the rear yard currently, except to house a large water condensor unit. The applicant will remove this unit and replace it with the above mentioned elevator.

13. The applicant proposes no clear windows facing north or east, so as not to decrease the privacy of adjoining properties.

14. The Office of Planning and Development report received April 10, 1981, and testimony given at the time of public hearing, recommended approval of the application on the grounds that the applicant has experienced practical problems in the operation of the church structure due to limitations in access and bathroom facilities. The proposed addition would greatly alleviate these problems. The addition is of a scale consistent with surrounding uses and planned development. The wide alley to the rear ensures adequate circulation and adequate access to light and air with the elimination of the rear yard, as proposed by the applicant. The proposed development will not have any adverse impacts upon adjoining or nearby properties. Given the configuration of the size and the existing structure, the addition appears to be a reasonable solution to the problems inherent in the current land use and design of the structure. The Board so finds.

15. Advisory Neighborhood Commission by report dated April 22, 1981, offered unanimous support for the application.

16. There were several letters of support from the adjoining and surrounding property owners.

17. There was one letter of opposition from property owners at 1120 - 6th Street, N. W. No basis for opposing the application was given. That letter was superceded by later communication from the owners, indicating no opposition to the expansion of the church. That letter also addressed several other concerns immaterial to the Board's consideration of this application.

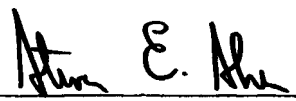
CONCLUSIONS OF LAW AND OPINION:

Based on the foregoing Findings of Fact and the evidence of record, the Board concludes that the requested variances are area variances, the granting of which requires the showing of a practical difficulty upon the owner, inherent in the property itself, in using the property in strict compliance with the Zoning Regulations. The Board concludes that the physical layout of this structure, which was built some ninety-seven years ago, does create such a difficulty. The existing rear and side yards serve no practical purposes. The addition is of a scale consistent with surrounding uses. The wide alley to the rear ensures adequate circulation and adequate access to light and air. The Board further concludes that the proposed development will not have any adverse impact on adjoining or nearby properties. It is therefore ORDERED that this application is hereby GRANTED.

Vote: 4-0 (Charles R. Norris, Connie Fortune to grant; Douglas J. Patton and William F. McIntosh to grant by proxy).

BY ORDER OF THE BOARD OF ZONING ADJUSTMENT

ATTESTED BY:


STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 6 JUL 1981

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF ORCCUPANCY IS FILED WITH THE DEPARTMENT OF LICENSES, INVESTIGATIONS, AND INSPECTIONS.